

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
MARSHALL DIVISION

PATTY BEALL, MATTHEW)
MAXWELL, TALINA McELHANY,)
AND KELLY HAMPTON,)
individually and on behalf)
of all other similarly)
situated,)
Plaintiffs,)
TYLER TECHNOLOGIES, INC.)
AND EDP ENTERPRISES, INC.,)
Defendants.)
No. 2:08-cv-422VS

ORAL DEPOSITION OF

LISA ANN WHITE

3/29/10

ORAL DEPOSITION OF LISA ANN WHITE,
produced as a witness at the instance of the DEFENDANTS,
and duly sworn, was taken in the above-styled and
numbered cause on the 29th day of March, 2010, from
1:29 p.m. to 4:05 p.m., before TINA TERRELL BURNETT, CSR
in and for the State of Texas, reported by machine
shorthand, at the offices of SLOAN, BAGLEY, HATCHER &
PERRY, 101 East Whaley Street, Longview, Texas 75601,
pursuant to the Federal Rules of Civil Procedure.

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1 LISA ANN WHITE,
2 having been first duly sworn, testified as follows:

3 EXAMINATION
4 BY MR. MCKEEBY:

5 Q. Will you please state your name for the
6 record?

7 A. Lisa Ann White.

8 Q. Ms. White, my name is Paulo McKeeby. We met
9 before the deposition, but you understand that I
10 represent the company called Tyler Technologies?

11 A. Yes.

12 Q. In connection with a lawsuit that you joined?

13 A. Yes.

14 Q. And you understand that Tyler Technologies
15 acquired a company called EDP?

16 A. Yes.

17 Q. And you used to work for EDP?

18 A. Yes.

19 Q. Here in Longview?

20 A. Yes.

21 Q. And you never worked for Tyler?

22 A. No.

23 Q. You left EDP before the acquisition?

24 A. Yes.

25 Q. What were your dates of employment with EDP?

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1 A. February of '04 to March of '07.

2 Q. And during that time, you were in the
3 designation of client liaison?

4 A. Yes.

5 Q. That was your only job title while you were at
6 EDP?

7 A. Yes.

8 Q. To whom did you report? Who was your
9 supervisor?

10 A. When I began, it was Daniel Knight.

11 Q. Is that K-N-I --

12 A. K-N-I-G-H-T.

13 Q. What was his position?

14 A. He was an implementation manager.

15 Q. And did someone else become your supervisor?

16 A. Lisa Payne.

17 Q. Did she have the same title?

18 A. Yes. All of these did.

19 Q. Okay.

20 A. And then Cathy Mount, C-A-T-H-Y, and Chandra
21 Robbins.

22 Q. And she was the implementation manager when you
23 left EDP's employment?

24 A. Yes.

25 Q. Why did you leave EDP's employment?

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1 then with Susie Briscoe and then with Brenda Wilkerson
2 and then Talina McElhany and Kelly Hampton.

3 Q. Were these all client liaisons?

4 A. No.

5 Q. Which ones were not?

6 A. Brenda Wilkerson was not, she was QC, and
7 Susie Briscoe was a trainer, and she became a client
8 liaison. Kelly Hampton was a trainer and became a
9 client liaison, and then the whole time I shared the
10 office with Talina, she was a client liaison.

11 Q. What about Pam Christopher?

12 A. Pam was.

13 Q. A client liaison?

14 A. The whole time I shared the office with her,
15 yes. She began as a trainer also, but when I came, she
16 was already a liaison.

17 Q. Was client liaison a position higher than the
18 trainer?

19 A. No.

20 Q. They were peers?

21 A. Yes.

22 Q. Was it a more desired position at Tyler based
23 on your perception?

24 MS. BAGLEY: Object to form.

25 Q. You can answer.

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1 MS. BAGLEY: You can answer if you
2 understand.

3 A. Was it a more desired position?

4 Q. Right.

5 A. Not necessarily, but it was to me because I
6 didn't want to travel and be away from my family that
7 much.

8 Q. And the trainers had to do that?

9 A. Yes.

10 Q. Because they were actually on site at the
11 schools?

12 A. Yes.

13 Q. That's not something you typically had to do?

14 A. No.

15 Q. Is it something you ever had to do?

16 A. Yes.

17 Q. In what circumstances would you travel to the
18 schools?

19 A. Two different times. There was -- well, one
20 of the trainer's sons got ill, and she couldn't go, and
21 I went in her place, and then one time all of the
22 trainers were out at schools, and there was no one else
23 to go, so I went. I did go -- then later I did go to
24 the planning meetings with Chandra and with Richard
25 Fritz just so they could introduce me as the client

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1 liaison.

2 Q. So that you did on more than one occasion when
3 you would go to these planning meetings?

4 A. Yes.

5 Q. And the other times were unique situations
6 where in one instance the trainer's son was ill and
7 couldn't cover it, and in the other instance, all the
8 trainers were tied up with other things?

9 A. Yes.

10 Q. When the trainer's son was ill, where did you
11 go?

12 A. Brown County. It's Brown County Co-Op. It's
13 several little bitty schools that were in a co-op.

14 Q. And did you do the actual training at that
15 school that day or that district that day?

16 A. Yes, sir.

17 Q. And what about when all the trainers were at
18 other schools, where did you go?

19 A. To West. I went to Brown County actually
20 twice because I went and did the actual training, and
21 then I went and did the start-up when they -- and that
22 was just my manager deciding it would be better for me
23 to go do the start-up because I had done the training.

24 Oh, I had to go to one other place. I
25 can't remember what the name of that school was.

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1 A. That looks like -- an internal trainer would
2 have been where maybe I worked with someone, you know,
3 that was in the company.

4 Q. You were training them?

5 A. Yes.

6 Q. Like a new employee?

7 A. Yeah. I might have been working with a new
8 employee or something.

9 Q. I know this is back in '05. Do you have any
10 recollection of that?

11 A. No. No.

12 Q. Let me direct your attention to 573. Hold on
13 just a second.

14 A. Okay.

15 Q. This has an entry for "customer data
16 entry/conversion"?

17 A. Yes.

18 Q. This is a separate function that you, as a
19 client liaison, did?

20 A. Yes.

21 Q. In fact, this describes one of your most
22 significant job responsibilities in terms of the amount
23 of time spent?

24 A. Yes.

25 Q. All right. So what does -- are those two

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1 separate concepts, "customer data entry" and
2 "conversion," or is that all one thing?

3 A. Yes.

4 Q. What do you call that, conversion?

5 A. I'd call it part of the conversion process.

6 Q. What did you do as part of the conversion
7 process?

8 A. Well, my job was to be the point of contact
9 between the school district and the conversion
10 programmer, so one of the first steps was that the
11 client liaison would call the school, and there was some
12 information that we had to get that we had to enter into
13 the parameter data base so the conversion programmer
14 could do the first conversion.

15 After that, the programmer would do the
16 first conversion, and his programming script or whatever
17 you want to call it would identify problems. That's
18 when, you know, there might be -- that's where you had
19 to go through that, and it came to us in more or less a
20 spreadsheet format, but we had to go and sort it.

21 And you might have one employee that had
22 five or six problems, you know, and so then you kind of
23 made something to give the customer to tell the customer
24 what they needed to do to correct their data so that we
25 could redo the conversion. And we did three different

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1 conversions usually at least. That was the plan.

2 Sometimes we had to do more.

3 Q. To do three conversions at once?

4 A. Three -- we would do the initial conversion on
5 a school. We would have them correct the errors that
6 that conversion generated. The conversion programmer
7 would do another conversion, and we would see if there
8 were any errors, and then we would have the school
9 correct those errors, and then the final conversion, and
10 that's when after that they would go live.

11 Q. So you're talking about one school district?

12 A. One school.

13 Q. So the goal was to have three separate
14 mini-conversions within that process before they went
15 live?

16 A. Right.

17 Q. And there were deadlines within this schedule?

18 A. Yes.

19 Q. That were dictated by the go-live date?

20 A. Yes.

21 Q. And you had to make sure that your work was
22 done within the deadlines?

23 A. Yes.

24 Q. That's why sometimes you would have to take
25 work home?

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1 what needed to be started from scratch?

2 A. No.

3 Q. That doesn't ring true at all?

4 A. No.

5 Q. Was that someone else that did that, or is that
6 just something I'm not understanding to ask that
7 question?

8 A. I don't -- I might be misunderstanding you,
9 but we never started from scratch.

10 Q. So you were always converting information that
11 was already there, data that was already there?

12 A. Yes. Even if they weren't on EDP's old
13 system, they always had data that you had to get
14 converted in. You had employees that you had to pay,
15 and you had general ledger balances and stuff like that
16 that had to be converted in.

17 Q. So as I understand it, after the first
18 conversion, there was some type of spreadsheet that was
19 created that identified any problems or errors that were
20 revealed by the first attempt at conversion?

21 A. The conversion programmer would generate -- it
22 was usually the employees. You know, like there were
23 problems in personnel. They would make 50,000, but in
24 payroll, they made 60. Which one is right, you know?
25 In personnel they might be an assistant principal, and

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1 then in payroll they were a principal. So it was that
2 kind of thing. And they could give me something that
3 would show the employees with problems.

4 Q. And that would be in a spreadsheet?

5 A. It wasn't actually a spreadsheet. It just
6 was -- well, it looked kind of like a spreadsheet, but
7 in the actual software, there is a report you can run
8 that's called "Employees with Problems," and that's
9 usually what we ran.

10 Q. You would run that or the programmer would run
11 it?

12 A. Well, the programmer, and then we could too.

13 Q. Did you?

14 A. Yes.

15 Q. To determine what errors there might be out
16 there?

17 A. Well, once the programmer told me that they
18 were finished with the initial conversion or the second
19 conversion, they would give me something that the
20 conversion script generated, and so then I would
21 generate a report for the customer. So as the customers
22 were correcting those problems, I would run the
23 "Employees with Problems" just to see if it was going
24 down.

25 Q. If the customer was doing it correctly?

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1 A. Right, if the number of employees with
2 problems was going down.

3 Q. And what was your purpose in running that?

4 A. Just to make sure they were making the
5 corrections they needed to make.

6 Q. And that had to do with the company meeting the
7 deadlines?

8 A. Yes.

9 Q. So "Employees with Problems" is a particular
10 type of error report that you could run?

11 A. Yes.

12 Q. What would you do if after running that
13 "Employees with Problems" report, you determined that the
14 client wasn't doing it quickly enough?

15 A. Quickly enough? Well, sometimes you would
16 have to call them and just say -- you know, give them a
17 deadline for errors. They agreed to that whenever they
18 agreed to do the conversion.

19 Q. Right, because they understood what the go-live
20 date was?

21 A. Right.

22 Q. You didn't have -- did you have any role in
23 setting the go-live date?

24 A. No.

25 Q. But you knew what that date was within the --

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1 Q. Was it a questionnaire?

2 A. I truly don't remember.

3 Q. What did you do with that document?

4 A. That I received from the lawyer?

5 Q. Yes, which you used to assist you in drafting
6 your declaration.

7 A. It seems like this was like e-mailed to me or
8 something, and I probably just -- I don't have the
9 e-mail after I did this. I did make a copy of this, but
10 I don't recall right now.

11 Q. Right. You made a copy of this and gave it to
12 the receptionist?

13 A. I made a copy for me to keep.

14 Q. For your own personal --

15 A. Yeah.

16 Q. Let's look at Paragraph 3 where it talks about
17 your job functions. I'm looking at the first sentence.
18 At the end of it, it talks about the new Windows-based
19 EDP Enterprises software, and that's EDPro?

20 A. Yes.

21 Q. And that's what we've been talking about today
22 in connection with the conversion work you were doing.
23 You were assisting the customer converting its data from
24 its previous system to EDPro?

25 A. Yes.

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1 Q. And sometimes the previous system would be a
2 Unix system that EDP previously sold?

3 A. Yes.

4 Q. And then there were other times where it would
5 be a conversion to EDPro from a system that had not been
6 sold to it by EDP?

7 A. Yes.

8 Q. You worked on both types?

9 A. Yes.

10 Q. The next sentence says: "This process involved
11 the conversion of the customer's data from the existing
12 software to the new EDP Enterprises, Inc.'s software."

13 And we've talked generally about that
14 process today?

15 A. Yes.

16 Q. And the sentence goes on to say: "As well as
17 training the customers' employees on the use and
18 operation of the EDP Enterprises, Inc.'s software."

19 Now, we've talked about some of the
20 training you did. Is that what you were describing in
21 this sentence?

22 A. No.

23 Q. What training did you mean?

24 A. After the customer went live on the system,
25 like I said, you know, the trainers went out and trained

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1 them, but when they started using it, there was lots of
2 stuff they forgot, so I would have to actually walk them
3 through how to do something.

4 Q. So this is during that six-week approximately
5 window in which you were providing support, you would
6 also do some on-the-fly training?

7 A. Yes. I mean -- yes.

8 Q. Because you would show them how to deal with a
9 particular issue while you were on the phone with them
10 addressing that issue? That's the type of training you
11 meant in that context?

12 A. Well, if they called and said, I need to do a
13 journal entry, and I don't remember how to do it, I
14 would say, you go here, and you do this, and then you do
15 this and do that.

16 Q. That's training?

17 A. If you want to call it training, yes.

18 Q. I'm asking if that's what you meant when you
19 used the term "training."

20 A. Yes.

21 Q. You were showing them how to do a particular
22 function?

23 A. Yes.

24 Q. You wouldn't just do it yourself and say, okay,
25 client, it's done. You wanted them to know how to do it?

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1 A. No, I would not do it and just say it was
2 done.

3 Q. But you could have?

4 A. No.

5 Q. Why not, because you didn't have the
6 information?

7 A. Because we were told never to do that.

8 Q. Right. That wasn't your job?

9 A. That's not my data. It's the school's.

10 Q. And it was also your job to help the client
11 understand the system, right?

12 MS. RAY: Object to form.

13 MS. BAGLEY: You can answer.

14 A. Yes.

15 Q. Jumping down a few lines (reading): "During
16 the conversion" -- do you see where I'm reading?
17 (Reading) "During the conversion process, I would verify
18 the customer's data after it was converted."

19 Did I read that accurately?

20 A. Yes.

21 Q. What function does that describe?

22 A. Like I said before, when the conversion
23 programmer would convert the data into EDPro, then, you
24 know, I would start making sure that everything came in
25 the same as it was in the old system, I mean, the

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1 balances. You know, if an employee was supposed to get
2 paid X number of dollars, that it came in the system
3 that way.

4 Q. So how would you do this verification?

5 A. Well, there was just a verification checklist
6 that you went through that I was given when I was hired,
7 and that's how I did it.

8 Q. And is that different from when you were
9 checking the client's work to make sure they were
10 addressing the errors? Is that different?

11 A. Yes.

12 Q. This is a separate function where you're
13 verifying that the data has been entered correctly?

14 A. That it has been converted correctly.

15 Q. Then it says: "When I found an error, I would
16 contact the customer and assist them with correcting the
17 error."

18 A. Yes, I would tell them that they needed to
19 correct it.

20 Q. How would you find the error?

21 A. Well, like I say, there was this checklist,
22 and there was just, you know, steps that you went
23 through, and, I mean, if something didn't -- I mean, if
24 the data didn't match, then there was an error, and, you
25 know, like I say, a lot of times it would just be, what

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1 is right. I would just have to ask them what is right.

2 Q. What is the accurate information?

3 A. Yes.

4 Q. Because what you would see when you were
5 verifying the customer's data was that there was
6 potentially some discrepancy in the data?

7 A. Right.

8 Q. That would be one example?

9 A. Right.

10 Q. This next sentence talks about assisting the
11 on-site implementation team while they were training the
12 customer. Do you see that?

13 A. Where are you?

14 Q. I'm in the next sentence where it starts: "I
15 participated in the conversion planning meetings."

16 We've talked about that?

17 A. Oh, yeah.

18 Q. You trained customers how to operate the new
19 software program. We talked about that?

20 A. Yes.

21 Q. And this concept, you assisted the on-site
22 implementation team --

23 A. Yes.

24 Q. -- I don't think we've talked about that.

25 A. When the trainers -- and they were the on-site

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1 implementation team -- when they would go out to the
2 school to start the school out using the new software,
3 the first thing they did was they would go through the
4 verification process. If the trainers while they were
5 out there working with the customers at the school, if
6 the customers said something wasn't right, they relayed
7 that to me. They called me. They didn't call the
8 programmer. They called me. I was the go-between
9 person, and I told the programmer.

10 Q. And then you coordinated with the client to get
11 it fixed?

12 A. I coordinated with the programmer because the
13 trainer was already out there, and she was coordinating
14 with the client.

15 Q. Okay. So we did talk about that. That would
16 have been when the implementer -- or the trainer would
17 contact you and advise you of a particular problem that
18 had been encountered during the training?

19 A. Right.

20 Q. And then you would go to the programmer and try
21 to address that problem?

22 A. Yes.

23 Q. Was there any reason why the trainer wouldn't
24 contact the programmer directly?

25 A. I don't know. I think they set this position

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1 C E R T I F I C A T E

2 I, TINA TERRELL BURNEY, Certified Shorthand
3 Reporter, duly qualified in and for the State of Texas,
certify that the foregoing deposition of LISA ANN WHITE
4 was reported stenographically by me at the time and place
indicated, said witness having been placed under oath by
me, and that the transcript is a true record of the
5 testimony given by the witness.

6 Review and signature by the witness were requested
at the time of taking this deposition and the changes
7 made by the witness are attached to the transcription of
this deposition.

8 I further certify that the time used by all
9 counsel is as follows:

10 Mr. Paulo M. McKeeby - 2 hours, 16 minutes

11 I further certify that I am neither counsel for
nor related to or employed by any party in this cause and
12 am not financially interested in its outcome.

13 Certified to this _____ day of April, 2010.

14

15

16

17

TINA TERRELL BURNEY, CSR No. 2908
18 Certified Shorthand Reporter
in and for the State of Texas
Certification expires 12/31/10

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